

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

## FACSIMILE COVER SHEET

RECEIVED  
CENTRAL FAX CENTER

MAY 04 2006

Deliver to: Scott E. Beliveau, USPTO Art Group: 2614  
Facsimile No.: (571) 273-8300 Date: May 4, 2006  
From: William W. Schaal, Reg. No. 39,018  
Our Docket No.: 80398P311 Number of pages 12 including this sheet.  
Application No.: 09/729,811 Filing Date: 12/4/2000  
Docket Due Date(s): 5/17/2006

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>8</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: <u>                    </u> ( <u>    </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: <u>                    </u>
<input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: <u>                    </u>	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other <u>                    </u>	<input checked="" type="checkbox"/> Transmittal Letter

### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Susan McFarlane 5/4/2006  
Susan McFarlane Date

**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

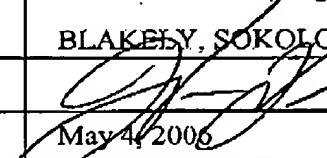
If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-3800 and ask for Susan McFarlane.

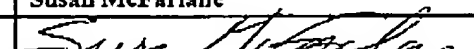
RECEIVED  
CENTRAL FAX CENTER

MAY 04 2006

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/729,811
		Filing Date	December 4, 2000
		First Named Inventor	Brant Candelore
		Art Unit	2614
		Examiner Name	Scott E. Beliveau
Total Number of Pages in This Submission	11	Attorney Docket Number	80398P311

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 4, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Susan McFarlane		
Signature		Date	May 4, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (vtr) 11/30/2005.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

MAY 04 2006

Patent fees are subject to annual revision.

Application Number	09/729,811
Filing Date	December 4, 2000
First Named Inventor	Brant Candelore
Examiner Name	Scott E. Beliveau
Art Unit	2614
Attorney Docket No.	80398P311

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b>	<b>0.00</b>
--------------------------------	-------------	-------------

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments

<b>SUBTOTAL (1)</b>	<b>(5)</b>	<b>0.00</b>
---------------------	------------	-------------

(S)	
-----	--

## Complete (if applicable)

PAGE 3/12 \* RCVD AT 5/4/2006 7:05:42 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/0 \* DNIS:2738300 \* CSID:7145573347 \* DURATION (mm-ss):03-26

**MAY 04 2006**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b>	<b>0.00</b>
--------------------------------	-------------	-------------

**Complete If Known**

Application Number	09/729,811
Filing Date	December 4, 2000
First Named Inventor	Brant Candelore
Examiner Name	Scott E. Beliveau
Art Unit	2614
Attorney Docket No.	80398P311

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments

under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

### FEE CALCULATION

## 1. EXTRA CLAIM FEES

1. EXTRA CLAIM FEES		Extra Claims	Fee from below	Fee Paid
Total Claims	37	37* = 0	50.00	\$0.00
Independent Claims	4	4* = 0	200.00	\$0.00
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	380	2203	180	Multiple Dependent claims. If not paid
1204	790	2204	395	*Reissue Independent claims: over original patent
1205	300	2205	150	*Reissue claims in excess of 20 and over original patent

\*or number previously paid, if greater. For Reissues, see below

<b>SUBTOTAL (1)</b>	<b>(\$)</b>	<b>0.00</b>
---------------------	-------------	-------------

## 2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet.
2053	130	2053	130	Non-English specification
1251	120	2251	80	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,560	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	600	Request for oral hearing
1451	1,510	2451	1,610	Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	60	1807	50	Processing fee under 37 CFR 1.17(g)
1808	180	1808	180	Submission of Information Disclosure Sheet
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify):

**SUBTOTAL (2)**

(\$)

## SUBMITTED BY

Name (Print/Type)	William W. Schaal
-------------------	-------------------

Registration No.  
(Attorney/Agent)

39.018

Telephone

Complete (if applicable)

(714) 557-3800

**Signature**

Date \_\_\_\_\_

05/04/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sakofski, Taylor & Zafman (wlr) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/729,811  
Amdt. Dated 05/04/2006  
Reply to Notice of Non-Compliant Amendment

RECEIVED  
CENTRAL FAX CENTER

MAY 04 2006

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 09/729,811  
Applicant : Brant Candelore et al.  
Filed : 12/04/2000  
TC/A.U. : 2614  
Examiner : Scott E. Belivcau

Confirmation No. 9260

Docket No. : 808398P311  
Customer No. : 8791

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Notice of Non-compliant Amendment of April 17, 2006, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.